

I hereby certify that this correspondence is being sent by facsimile transmission to:

**PATENT**  
Attorney Docket No.: 018547-019420US  
Client Ref. No.: 3014.1

Examiner Jezia Riley at Fax No.: 703-305-3014

On December 26, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: 

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAVID J. LOCKHART et al.

Application No.: 09/880,727

Filed: June 13, 2001

For: NUCLEIC ACID ANALYSIS  
TECHNIQUES

Examiner: Jezia Riley

Art Unit: 1637

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed September 26, 2002, Applicants respectfully request entry of the following amendment and withdrawal of the outstanding rejections.

#### REMARKS

Claims 47-49 are pending in the application. Claim 49 is withdrawn from consideration. Claims 47 and 48 are rejected. Applicants acknowledge the renumbering of the claims by the Examiner to correct the erroneous submission of two claims 44.

Claim 47 has been rejected as vague and indefinite because the nitrogen atom of the base linked to the C-1 of the ribose ring contains 4 bonds, yet no positive charge is shown in the formula. Please insert the positive charge.